

**12169. Misbranding of strawberries. U. S. v. Harve Browne Adams and Frank H. Herron (Adams & Herron). Pleas of guilty. Fine, \$10 and costs. (F. & D. No. 16568. I. S. No. 13494-t.)**

On November 6, 1922, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harve Browne Adams and Frank H. Herron, copartners, trading as Adams & Herron, Trezevant, Tenn., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about May 9, 1922, from the State of Tennessee into the State of Kentucky, of a quantity of strawberries in crates which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 23, 1923, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10 and costs.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

**12170. Adulteration of frozen eggs. U. S. v. 437 Cases of Frozen Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18294. I. S. No. 4022-v. S. No. C-4277.)**

On February 6, 1924, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 437 cases of frozen eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Cuero Packing Co., Cuero, Tex., January 11, 1924, and transported from the State of Texas into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On March 5, 1924, the Cuero Packing Co., Cuero, Tex., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the bad portion be separated from the good portion, under the supervision of this department, and the bad portion denatured before final release.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

**12171. Adulteration of jellies. U. S. v. 6 Cases of Jellies. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18022. I. S. Nos. 729-v, 730-v, 731-v. S. No. E-4574.)**

On November 24, 1923, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 6 cases of jellies, each containing 2 dozen jars, remaining unsold in the original packages at Alexandria, Va., alleging that the articles had been shipped by the U. S. Preserve Co., from Philadelphia, Pa., March 8, 1923, and transported from the State of Pennsylvania into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act. The articles were labeled in part: "Betsy Ross Brand Jelly Currant Flavor" (or "Plum Flavor" or "Apple") "Fruit Juice, Sugar, Apple Base. U. S. Preserve Co. Phila., Pa. 7 Ozs. Net."

Adulteration of the articles was alleged in the libel for the reason that substances, pectin jellies, had been mixed and packed therewith so as to reduce, lower, or injuriously affect their quality or strength and had been substituted wholly or in part for the said articles.

On March 24, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*